

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

AUSTIN R. DAVENPORT,

Plaintiff,

v.

HON. ANDY D. MILLER, *et al.*,

Defendants.

:

Case No. 2:24-cv-2838

Chief Judge Sarah D. Morrison

Magistrate Judge Caroline H.

Gentry

:

ORDER

On October 8, 2024, the Magistrate Judge issued a Report and Recommendation (ECF No. 15) recommending that (1) Plaintiff Austin Davenport's federal-law claims against Defendants Miller, Cable, Wharton, Ozturk, and Blosser be dismissed with prejudice; (2) his federal-law claims against Defendants Thomas and Murphy be dismissed without prejudice; (3) the Court decline to exercise supplemental jurisdiction and dismiss without prejudice his remaining state-law claims; and (4) the Court deny his motions for *de novo* review (ECF Nos. 9, 10) as moot. The parties were advised of the right to file objections to the Report and Recommendation and of the consequences of failing to do so. No objections have been filed, and the time for filing objections has passed.

For the reasons set forth therein, the Court **ADOPTS** and **AFFIRMS** the Report and Recommendation. Mr. Davenport's motions for *de novo* review (ECF Nos. 9, 10) are **DENIED** as moot, and this case is **DISMISSED**. The Court further

certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order would not be taken in good faith.

The Clerk is **DIRECTED** to **TERMINATE** this case from the docket records of the United States District Court for the Southern District of Ohio, Eastern Division.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
CHIEF UNITED STATES DISTRICT JUDGE